

ORDINANCE 18-26

AN ORDINANCE AMENDING TITLE 15A OF THE REVISED ORDINANCES OF SANDY CITY (THE LAND DEVELOPMENT CODE), 2008, CHAPTER 24-03, "SPECIAL ACCESS AND PARKING PROVISIONS" TO ALLOW FOR PARKING REDUCTIONS TO THE PARKING REQUIREMENTS IF CERTAIN CRITERIA IS MET; ALSO PROVIDING A SAVING CLAUSE AND EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, a request has been made to amend Title 15A of the Revised Ordinances of Sandy City (the Land Development Code), 2008, Chapter 24-03, "Special Access and Parking Provisions" to allow for parking reductions to the parking requirements if certain criteria is met; and

WHEREAS, the Planning Commission held a public hearing on September 6, 2018 which meeting was preceded by notice by publication in the Salt Lake Tribune on August 23, 2018, and by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, Salt Lake County Library-Sandy, and the Utah Public Notice Website - <http://pmn.utah.gov> on August 16, 2018; and

WHEREAS, following the public hearing before the Planning Commission, the Commission recommended the amendment to the City Council; and

WHEREAS, a public meeting was held by the Sandy City Council on September 11, 2018 to consider adoption of the proposed amendment, which meeting was preceded by publication in the Salt Lake Tribune, on August 23, 2018, and by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, Salt Lake County Library-Sandy, on the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov>, on August 16, 2018; and

WHEREAS, the City Council has been given specific authority in Title 10, Chapter 9a, Utah Code Ann. to adopt a zoning plan, including an ordinance and map which divide the municipality into districts or zones, and within such districts to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures, and the uses of land; and

WHEREAS, the State legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the City to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e., providing for the public safety, health, morals, and welfare; and

WHEREAS, the foregoing legitimate governmental objectives are achieved by reasonable means, in that any adverse impact on private property value or use has been carefully balanced against the corresponding gain to the public; and the regulations have been calculated, on recommendation of City planning staff to permit property owners to beneficially use their properties for the practical purposes to which the property is reasonably adaptable; and procedures have been established by the Land Development Code and Utah Code Ann. whereby appeals can be heard and decided if it is alleged that there is legislative or administrative error, or where a special exception or variance to the ordinance is required.

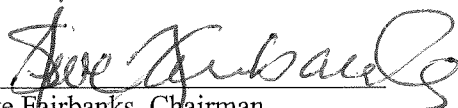
NOW, THEREFORE, BE IT ORDAINED by the City Council of Sandy City, State of Utah, as follows:

Section 1. Amendment. Title 15A is amended as shown on **Exhibit "A"**, which is attached hereto and by this reference made a part hereof.


Section 2. Severable. If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined in its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. Effective. This ordinance shall become effective upon publication of a summary thereof.

PASSED AND APPROVED this 11 day of September, 2018.


Steve Fairbanks, Chairman
Sandy City Council

ATTEST:

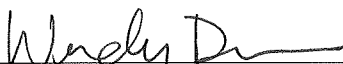

City Recorder, Deputy

PRESENTED to the Mayor of Sandy City for his approval this 17TH day of SEPTEMBER, 2018.

APPROVED this 17TH day of SEPTEMBER, 2018.


Kurt Bradburn, Mayor

ATTEST:


City Recorder, Deputy

PUBLISHED this 20 day of September, 2018.

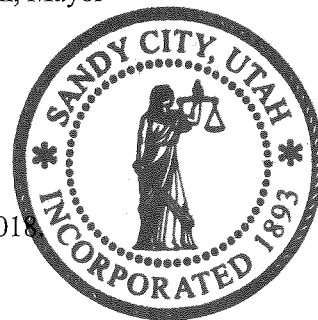


Exhibit "A"

15A-24-03 Special Access and Parking Provisions

- C. **Parking Reduction.** Developments are required to provide a certain number of parking stalls, as determined by this code, based on the land uses associated with the site. In some cases, it may be appropriate to allow for less than the required amount of parking. At the time of site plan review, a parking plan shall be submitted showing all proposed parking spaces, the overall circulation system, and justification for requesting reductions in parking space requirements as specified below:
1. **Reduction up to 10%.** The Director may approve a reduction of up to 10% of the amount of required parking upon satisfactory review of one (1) or more of the following that applies to the request:
 - a. **Parking Demand Analysis.** A study provided by a licensed transportation engineer that demonstrate projected usage of residents, employees, and customers of the proposed land uses or similarly situated land uses in other locations.
 - b. **Market Demand Analysis.** A study provided by a qualified real estate market analyst that estimate current market demand for a particular land use. For the purpose of this section, a real estate analyst shall be defined as a real estate professional with expertise in financial analysis in support to the financing, acquisition, marketing and leasing of real property based on the study of economic conditions and market trends.
 - c. **Walkability and Multi-Modal Design.** Provide a site plan design that demonstrates walkable elements and promotes multiple modes of transportation. A study by a licensed transportation engineer shall provide a quantitative analysis of the anticipated parking demand and automobile trips based on the proposed design.
 - d. **Proximity to Transit.** A site that is within a half-mile ADA route distance of existing or immediately planned local fixed mass transit station that would help reduce the number of needed parking stalls and automobile trips.
 2. **Reduction above 10%.** The Planning Commission may approve a reduction above 10% of the amount of required parking. Upon satisfactory review of two (2) or more of the criteria listed in section 15A-24-03(C)(1), they may approve up to a 15% reduction. Upon satisfactory review of three (3) or more of those criteria, they may approve up to a 20% reduction. Upon satisfactory review of all four (4) of those criteria, they may approve up to a 25% reduction.
 - a. No parking reduction shall be applied to any detached single-family housing development within the city limits.
 3. **Residential Parking Reduction.** If a reduction to any parking requirement is granted for a residential development, it shall be required of the developer/owner to provide a

minimum of one (1) stall to each residential unit and include it in the base sale or lease price of the unit.

4. **Amendments.** Any amendments to the approved site plan or change in land use will cause any previously approved parking reductions for the site to be reviewed again by the appropriate authority and ensure that the required justification requirements have been met.

D. **Shared Parking.**

1. **Shared Parking Proposal.** Notwithstanding any other parking requirements provided in this Chapter, when land uses occupy the same lot or adjacent lots, the total number of off-street parking spaces required for each use may be combined and shared. A proposal for sharing off-street parking shall be presented to the Director. If the proposal involves the accommodation of more than 10 parking spaces (total accumulated spaces required for all involved uses), the Director may present the proposal to the Planning Commission for site plan review.
2. **Requirements.** In order to qualify for approval for shared parking, applicants shall present the following:
 - a. The location and identity of each use that will share the facility.
 - b. The total parking requirement for each use.
 - c. The projected hours of operation of each use and the hours during which the peak parking demand will be experienced.
 - d. The number of existing and/or proposed parking spaces.
 - e. A site plan that provides for a distance of no greater than 500 feet from the nearest entrance of each use to the nearest edge of the parking facility.
 - f. A site plan that demonstrates that the proposed shared parking facility will comply with all standards required by this Code for parking lot development.

E. **Drive-Thru Business Stacking Space.**

(See Commercial, Office, Industrial, & Transit Corridor Development Standards Chapter)

- F. **Excessive Parking.** Developments shall not have parking in excess of that required by this Code without prior approval of the Director or Planning Commission, upon written justification of the specific need for more parking spaces than the provisions of this Code allows. In addition, developers are encouraged to work out shared parking agreements with adjacent users wherever possible according to the provisions for shared parking contained within this Code.

G. **Prohibited Parking.** No parking shall occur in any alley, driveway, service driveway, traffic aisle (either public or ways open to the public), delivery area (other than for a minimal period of time needed for the delivery of goods and materials to a specific tenant) or other location designed for through traffic unless:

1. Said area has been specifically designated for parking on the original approved site plan; or,
2. The original site plan has been specifically modified by written approval of the City Transportation Engineer, for parking space use; and
3. Be designed in accordance with the parking designs specified in this chapter.